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Conclude
μg/ml lysozyme to a mutant belonging to *Corynebacterium glutamicum* and having a sensitivity to not more than 50 μg/ml lysozyme.

43. (New) The method according to 41, wherein the protein which has an activity of giving a lysozyme insensitivity to a lysozyme-sensitive microorganism belonging to *Corynebacterium glutamicum* is a protein having an activity of giving an insensitivity to 100 μg/ml lysozyme to a mutant belonging to *Corynebacterium glutamicum* and having a sensitivity to not more than 50 μg/ml lysozyme.

REMARKS

The examiner has restricted the claims into the following three groups:

Group I, claims 1-9 and 13, drawn to DNA encoding SEQ ID NO:2, construct containing that DNA and a method of making a protein via recombinant DNA methodology;

Group II, claims 1 and 10-12, drawn to a protein of SEQ ID NO:2;

Group III, claims 14-16, drawn to a method of preparing lysozyme sensitive bacteria via inactivation of a protein's activity;

Group IV, claim 17, drawn to lysozyme sensitive bacteria derived via inactivation of a protein; and

Group V, claims 18-19, drawn to a method of making an amino acid.

With respect to the restriction between Groups I (claims 1-9 and 13) and II (claims 1 and 10-12), applicants respectfully submit that the pending claims of these two groups do not require restriction because examination of these claims would not require additional searches or otherwise place a serious burden on the examiner.

Applicants respectfully request that the examiner reconsider her position regarding this restriction requirement and examine the claims of Group I and II, as one invention for the reason set forth above. It is believed that the alleged separate inventions are related and should be examined as one invention.

If the examiner maintains the present restriction requirement, applicants elect, with traverse, Group I, claims 1-9 and 13. Applicants understand that dependent method and process claims will be rejoined if allowable subject matter is found in Group I.

As suggested by the examiner on page 3 of the instant office action, claim 1 has been amended to more clearly recite the present invention. Applicants have also added new claims 20-43. Support for the newly added claims can be found throughout the specification.

CONCLUSION

Applicants, of course, reserve the right to file divisional applications covering the subject matter of the non-elected claims.

Applicants respectfully request examination on the merits of this application. Should there be any questions concerning this application, Examiner Bugaisky is invited to contact the undersigned at the number listed below.

Respectfully submitted,

Date

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By

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Should additional fees be necessary in connection with the filing of this paper, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees.

MARKED UP VERSION SHOWING CHANGES MADE TO CLAIMS

1. (Amended) A DNA encoding [coding for] (a) a protein which comprises the amino acid sequence of SEQ ID NO: 2, or (b) a protein which comprises an [the] amino acid sequence, wherein [of SEQ ID NO: 2 where] one or more amino acids are deleted, substituted, or added in the amino acid sequence of SEQ ID NO: 2, and which has an activity of giving a lysozyme insensitivity to a lysozyme-sensitive microorganism belonging to *Corynebacterium glutamicum*.